

May 7, 2003 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

03AN0260

Ray Casella

Matoaca Magisterial District
17410 and 17420 River Road

REQUEST: A Special Exception to operate a commercial kennel from the home.

RECOMMENDATION

Recommend denial of this Special Exception for the following reasons:

- A. Special Exception may adversely affect the health, safety or welfare of persons residing on the premises or in the neighborhood.
- B. Special Exception may impair the character of the district.
- C. Use may reduce or impair the value of buildings or property in surrounding areas.

GENERAL INFORMATION

Location:

Property is known as 17410 and 17420 River Road. Tax IDs 706-644-2244 and 3551 (Sheet 31).

Existing Zoning:

A

Size:

Six (6) acres

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Existing Land Use:

Residential

Adjacent Zoning and Land Use:

North - A; Vacant
South - A; Residential and vacant
East - A; Vacant
West - A; Vacant

Utilities:

Private well and septic system

General Plan:

(Southern and Western Area Plan)

Rural conservation use

DISCUSSION

The applicant requests a Special Exception to operate a commercial kennel from the home.

The applicant provides the following information in support of this request:

I am requesting a Special Exception to allow a free standing boarding kennel to be owned and operated by the applicant. (See attachment).

Staff has reviewed the attached site plan and application. The applicant has indicated on the site plan there are existing woods in the front and middle of the property. Staff would recommend the existing mature vegetation to be preserved and maintained to lessen any possible adverse impact of this Special Exception.

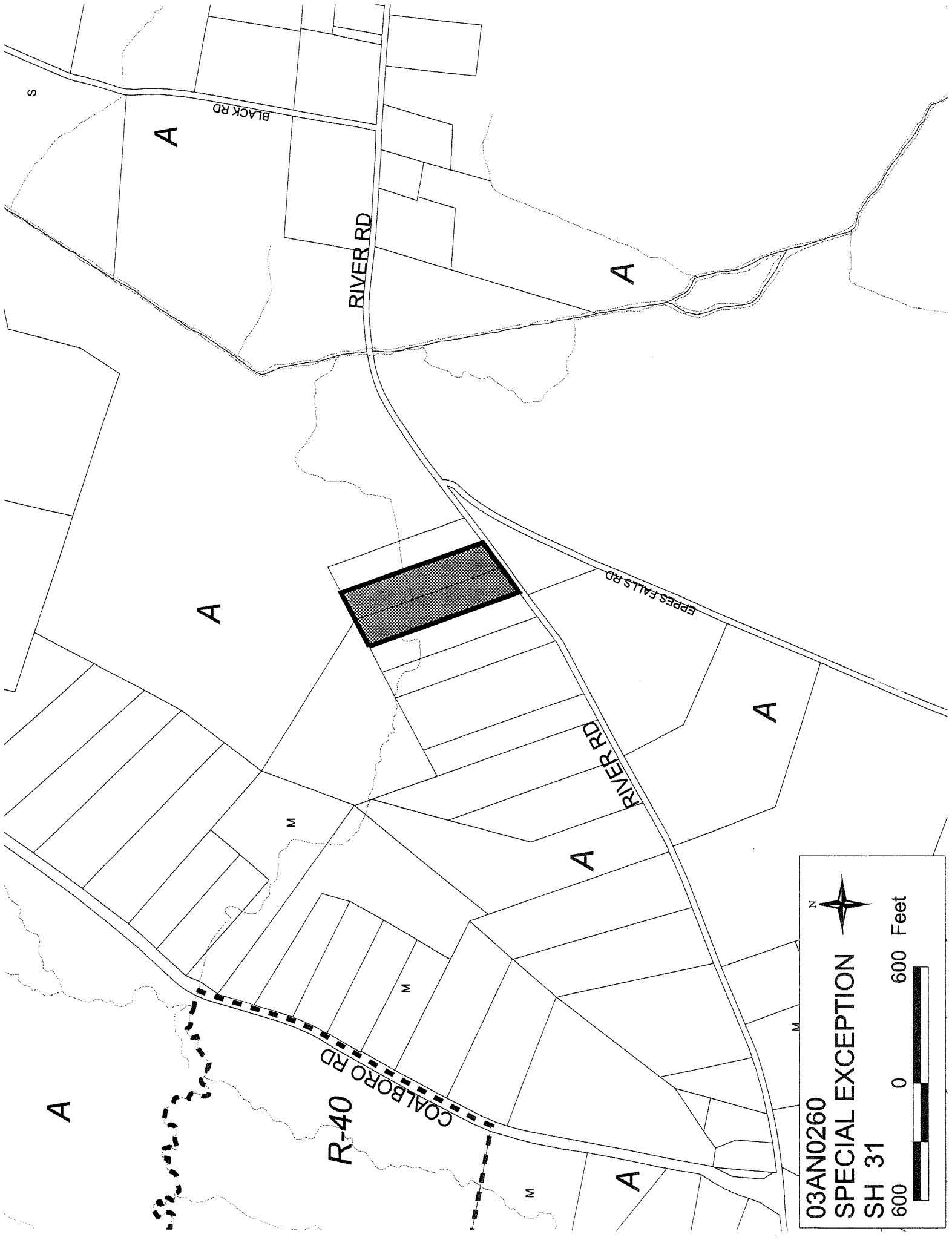
The Southern and Western Area Plan suggests the property is appropriate for rural conservation use. Staff believes that this type of request may have an adverse affect on property values and the character of the area. The noise produced by a commercial kennel may create a nuisance to adjacent property owners and area residents. This potential disruption to these residents may negatively affect the character of this area.

Staff believes that imposing development conditions will not mitigate the negative impact that this use may have on the current or future residential uses in this area. Therefore, staff cannot support this request. However, if the Board feels this request has merit, staff would recommend the following conditions:

CONDITIONS

- | | | |
|------------------------|-----|---|
| (Staff)
(Applicant) | 1. | Special Exception shall be granted to and for Raymond Casella, exclusively, and shall not be transferable nor run with the land. |
| (Staff) | 2. | Special Exception shall be granted for a period not to exceed three (3) years from date of approval and may be renewed upon satisfactory reapplication and demonstration that the commercial kennel operation has not proved a detriment to the adjacent property or the area in general. |
| (Staff) | 3. | Special Exception shall be limited to the operation of a boarding kennel exclusively, and no employees other than the applicant shall be engaged in this operation. |
| (Applicant) | 4. | Special Exception shall be limited to the boarding of a maximum of twenty (20) dogs and ten (10) cats. |
| (Staff) | 5. | Off-street parking shall be provided for at least two (2) customer vehicles, plus vehicles belonging to the applicant. All driveway and parking areas shall be at least graveled. |
| (Staff) | 6. | The kennel and outside runs shall be maintained to eliminate the odors and proliferation of insects. |
| (Applicant) | | The area in which the dogs are allowed to run shall be cleaned on a regular basis so as to eliminate the odors and proliferation of insects. |
| (Staff) | 7. | No sign relative to this use shall be permitted other than what is allowed by the Zoning Ordinance. |
| (Applicant) | | One (1) sign shall be permitted at the entrance and shall not exceed eight (8) square feet. |
| (Staff) | 8. | The applicant shall not breed dogs on this property. |
| (Applicant) | 9. | The plan prepared by Balzer & Associates and submitted with the application shall be considered the Master Plan. |
| (Applicant) | 10. | The construction of a boarding facility shall be limited to one (1) structure no larger than 1800 square feet. The location of which shall be generally located as depicted on the Master Plan. |
| (Applicant) | 11. | No additional run areas are to be constructed. The existing outside fenced area as shown on the Master Plan shall remain. |

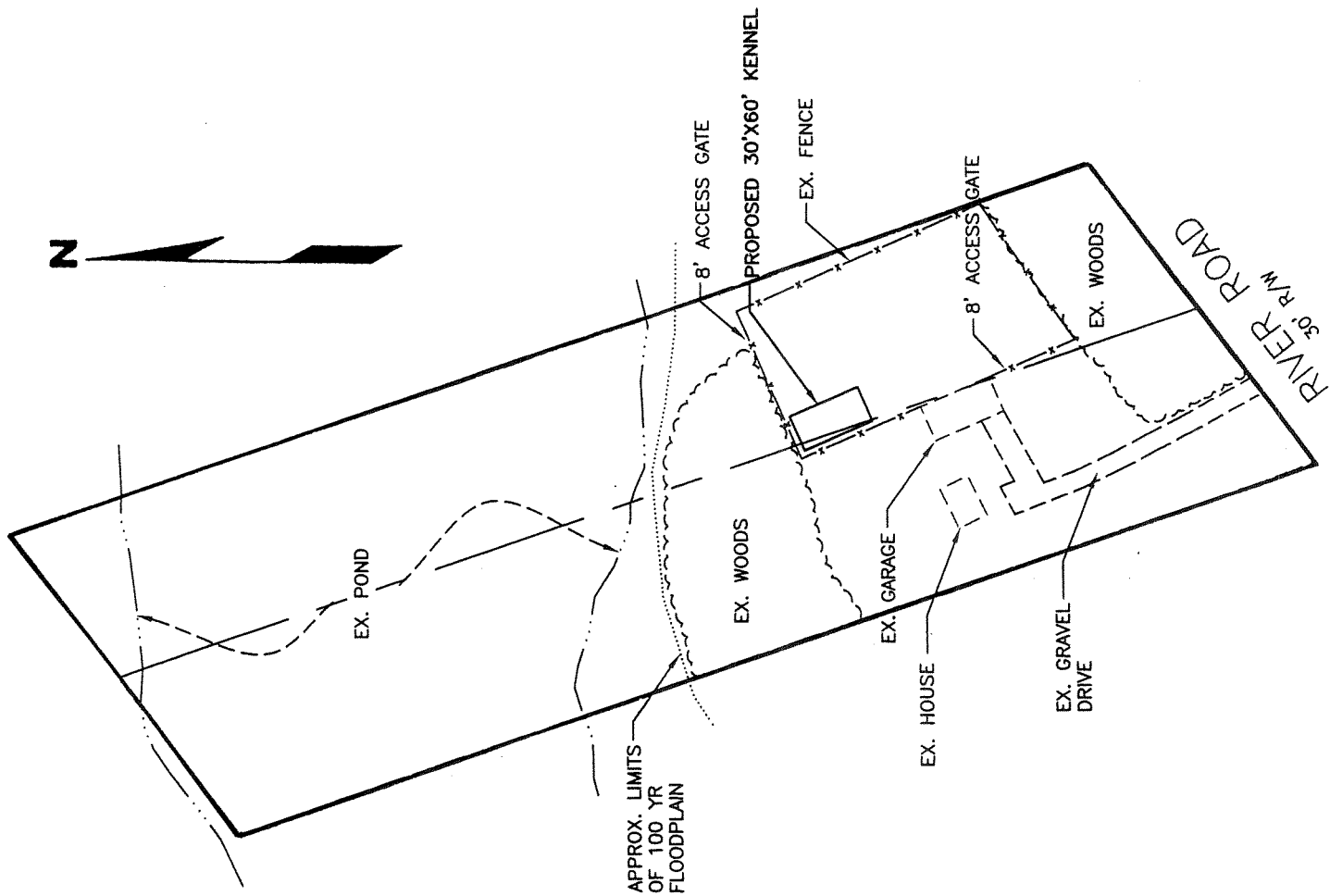
- (Staff)
12. The existing mature vegetation as depicted on the plat attached to staff's report shall be preserved and maintained, unless removal is approved by the Planning Department. This condition shall not be applicable to the removal of dead or diseased trees.



03AN0260
SPECIAL EXCEPTION
SH 31

600 0 600 Feet

N



03ANO260-1